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*Attorneys for Plaintiff Stanley Morrical,
derivatively on behalf of Hewlett-Packard Company*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ALLAN J. NICOLOW,

Plaintiff,

v.

HEWLETT-PACKARD COMPANY, et al.

Defendants,

CASE NO. 12-CV-05980-CRB

**ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES
SHOULD BE RELATED**

Judge: Hon. Charles R. Breyer
Complaint Filed: November 26, 2012

[Caption continues on following page.]

**ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE
RELATED**

PHILIP RICCARDI,
Plaintiff,

v.

MICHAEL R. LYNCH, et al.

Defendants,

-and-

HEWLETT-PACKARD COMPANY,

Nominal Defendant.

CASE NO. 12-CV-06003-EJD

Judge: Hon. Edward J. Davila

Complaint Filed: November 26, 2012

ENERSTO ESPINOZA,
Plaintiff,

v.

MICHAEL R. LYNCH, et al.

Defendants,

-and-

HEWLETT-PACKARD COMPANY,

Nominal Defendant.

CASE NO. 12-CV-06025-LHK

Judge: Hon. Lucy H. Koh

Complaint Filed: November 27, 2012

DAVIN POKOIK,
Plaintiff,

v.

HEWLETT-PACKARD COMPANY, et al.

Defendants,

CASE NO. 12-CV-06074-YGR

Judge: Hon. Yvonne Gonzalez
Rogers

Complaint Filed: November 30, 2012

**ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE
RELATED**

1 ANDREA BASCHERI, et al,

2 Plaintiff,

3 v.

4 LEO APOTHEKER, et al.

5 Defendants,

6 -and-

7 HEWLETT-PACKARD COMPANY,

8 Nominal Defendant.

9 MARTIN BERTISCH,

10 Plaintiff,

11 v.

12 LEO APOTHEKER, et al.

13 Defendants,

14 -and-

15 HEWLETT-PACKARD COMPANY,

16 Nominal Defendant.

17 SAN JOSE DIVISION THE CITY OF
18 BIRMINGHAM RETIREMENT AND
19 RELIEF SYSTEM,

20 Plaintiff,

21 v.

22 LEO APOTHEKER, et al.

23 Defendants,

24 -and-

25 HEWLETT-PACKARD COMPANY,

CASE NO. 12-CV-06091-SI

Judge: Hon. Susan Illston
Complaint Filed: November 30, 2012

CASE NO. 12-CV-06123-LHK

Judge: Hon. Lucy H. Koh
Complaint Filed: December 3, 2012

CASE NO. 12-CV-06416-HRL

Judge: Hon. Howard R. Lloyd
Complaint Filed: December 18, 2012

**ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE
RELATED**

Nominal Defendant.

JOSEPH TOLA,

Plaintiff,

v.

MICHAEL R. LYNCH, et al.

Defendants,

-and-

HEWLETT-PACKARD COMPANY,

Nominal Defendant.

CASE NO. 12-CV-06423-KAW

Judge: Hon. Kandis A. Westmore
Complaint Filed: December 18, 2012

STANLEY MORRICAL,

Plaintiff,

v.

MARGARET C. WHITMAN, et al.

Defendants,

-and-

HEWLETT-PACKARD COMPANY,

Nominal Defendant.

CASE NO. 12-CV-06434-CRB

Judge: Hon. Charles R. Breyer
Complaint Filed: December 19, 2012

**ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE
RELATED**

Pursuant to Civil Local Rule 3-12, Stanley Morrical, derivatively on behalf of Hewlett Packard Company, (*Morrical v. Whitman, et. al.*, Case No. 12-06434) moves for the Court to relate the following actions.

1) *Nicolow v. Hewlett-Packard Company et al.*, Case No. 12-cv-05980-CRB (filed on November 26, 2012)

2) *Riccardi v. Lynch et al.*, Case No. 12-cv-06003-EJD (filed on November 26, 2012)

3) *Espinoza v. Lynch et al.*, Case No. 12-cv-06025-LHK (filed on November 27, 2012)

4) *Pokoik v. Hewlett-Packard Company et al.*, Case No. 12-cv-06074-YGR (filed on November 30, 2012)

5) *Bascheri et al v. Apotheker et al.*, Case No. 12-cv-06091-SI (filed on November 30, 2012)

6) *Bertisch v. Apotheker et al.*, Case No. 12-cv-06123-LHK (filed on December 03, 2012)

7) *San Jose Division the City of Birmingham Retirement and Relief System v. Apotheker et al.*, Case No. 12-cv-06416-HRL (filed on December 18, 2012)

8) *Tola v. Lynch et al.*, Case No. 12-cv-06423-KAW (filed on December 19, 2012)

9) *Morrical v. Whitman et al.*, Case No. 12-cv-06434-CRB (filed on December 19, 2012)

The above actions are related within the meaning of Civil Local Rule 3-12(a), which states that an action is related to another when:

- 1) the actions concern substantially the same parties, property, transaction, or event; and
- 2) it appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges.

Both of these criteria are met here. The nine actions listed above all relate to Hewlett Packard Company's ("HP") purchase of Autonomy Corporation plc. The *Nicolow* (Case No. 12-cv-5980-CRB) and *Pokoik* actions (Case No. 12-cv-06074-YGR) listed above are federal securities class actions ("Securities Actions"). The remaining actions are listed above are shareholder derivative actions ("Derivative Actions"). The Securities Actions and Derivative Actions name several of the same individual defendants, involve substantially the same transactions and events, and arise from similar underlying facts.

Each of the above referenced actions allege that specific HP officers and directors failed to uncover and disclose material facts about Autonomy and HP's business and financial condition prior to the November 20, 2012 HP press release announcing an \$8.8 billion write down of the value of Autonomy. Although the legal issues differ between securities fraud class actions cases and shareholder derivative cases, because the cases relate to the same or similar underlying allegations, there will be unduly burdensome duplication of labor and/or expense if these cases are conducted before different judges. Assignment of a single judge is likely to conserve judicial resources and promote an efficient determination of the actions.

Accordingly, Stanley Morrical, derivatively on behalf of Hewlett Packard Company, respectfully requests that the Court enter an order relating the above-listed actions pursuant to Civil L.R. 3-12. A [Proposed] Order Relating Actions is attached as Exhibit A.

DATED: December 28, 2012

COTCHETT, PITRE & McCARTHY, LLP

By: /s/ Matthew K. Edling
MATTHEW K. EDLING

Matthew K. Edling
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CERTIFICATE OF SERVICE

I hereby certify that on December 28, 2012, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List for lead case 12-cv-05980, and I hereby certify that I caused to be e-mailed the foregoing document to the e-mail addresses denoted on the additional attached Electronic Mail Notice Lists for each of the apparently related cases. I further certify that I caused to be mailed the foregoing document via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice Lists.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on December 28, 2012.

/s/ Matthew K. Edling

MATTHEW K. EDLING

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Matthew K. Edling

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**ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE
RELATED**

Mailing Information for a Case 5:12-cv-06003-EJD

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Felipe Javier Arroyo**
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- **Joseph Edward Floren**
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- **Kimberly Alexander Kane**
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- **Kevin S. Kim**
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- **Karen A. Pieslak Pohlmann**
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- **Brian J. Robbins**
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- **Shane Palmesano Sanders**
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- **Marc J. Sonnenfeld**
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- **Matthew S. Weiler**
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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)

Mailing Information for a Case 5:12-cv-06025-LHK

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Felipe Javier Arroyo**
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- **Kimberly Alexander Kane**
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- **Shane Palmesano Sanders**
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- **Matthew S. Weiler**
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- (No manual recipients)

Mailing Information for a Case 4:12-cv-06074-YGR

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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- **Kimberly Alexander Kane**
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- (No manual recipients)

Mailing Information for a Case 3:12-cv-06091-SI

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Francis A. Bottini , Jr**
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Manual Notice List

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- (No manual recipients)

Mailing Information for a Case 5:12-cv-06416-HRL

Electronic Mail Notice List

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Adam	Warden
Saxena White, PA 2424 North Federal Highway Suite 257 Boca Raton, FL 33431	

Mailing Information for a Case 4:12-cv-06423-KAW**Electronic Mail Notice List**

The following are those who are currently on the list to receive e-mail notices for this case.

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- **Danielle A Stoumbos**
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- (No manual recipients)

Mailing Information for a Case 3:12-cv-06434-CRB

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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